

Minnesota Sentencing Guidelines Commission
Approved Meeting Minutes
March 23, 2016

A meeting of the Minnesota Sentencing Guidelines Commission (MSGC) was held on March 23, 2016, in Room 225 of the Minnesota Judicial Center, 25 Reverend Dr. Martin Luther King, Jr. Blvd., St. Paul, MN 55155. Commission members present were Chair Justice Christopher Dietzen, Angela Champagne-From, Jeffrey Edblad, Sergeant Paul Ford, Judge Caroline Lennon, Cathryn Middlebrook, Commissioner of Corrections Tom Roy, Judge Heidi Schellhas, and Senior Judge Mark Wernick.

MSGC staff members present were Executive Director Nate Reitz and staff members Anne Wall and Kathleen Madland.

Members of the public present were Julian Roberts, Sentencing Council of England and Wales; Joshua Esmay, Council on Crime and Justice; Toya Woodland, ISAIAH; and Lisa Netzer, Minn. Department of Corrections.

1. Call to Order

The Chair called the meeting to order at 2:00 p.m.

2. Approval of Agenda

This was on the agenda as an action item.

Motion by Sgt. Ford and second by Judge Lennon to approve the meeting agenda.

Motion carried.

3. Approval of Meeting Minutes

This was on the agenda as an action item.

Motion by Sgt. Ford and second by Judge Lennon to approve the meeting minutes from January 27, 2016, as amended.

Motion carried.

4. Update on Robina Institute's Criminal History Project

This was on the agenda as a discussion item. Guest presenter, Robina Institute Research Fellow Rhys Hester, J.D., Ph.D., updated the Commission on the Robina Institute's Criminal History Project.

This project will explore the extent to which the Minnesota Guidelines Criminal History Score predicts recidivism. The project pairs MSGC data from offenders sentenced in 2003 and 2004 with follow-up conviction data obtained from the Minnesota Bureau of Criminal Apprehension. The analyses will also compare the relative predictability provided by the sub-components of the MN CHS (felony points, misdemeanor points, juvenile points, and custody status points).

The Commission asked questions and discussed different aspects of the Robina Institute's project.

5. Criminal History Score Overview, Part 1: Introduction

The Executive Director presented a criminal history score overview to the Commission. This overview included the authors of the Guidelines originally proposed sentencing purposes, the role of criminal history in punishment, the components of Minnesota's criminal history score, and how criminal history scores have changed over time.

6. Legislative Update

This was on the agenda as a discussion item. The Executive Director updated the Commission on legislative action that may be of importance to the Commission. This included updates on HF 2888 – Rejection of Recommendations of Controlled Substance Offenses; HF 3223 – House Offenders in Nonpublicly Owned Facilities; and SF 2109 – Correctional Inmate Release Program.

Motion by Mr. Edblad and second by Judge Schellhas to oppose Senate File 2109, 89th Minn. Legislature, as introduced and in the form as presented at the February 24, 2016, meeting of the Prison Population Task Force, and any other bill similar in scope, as inconsistent with the goals of the Sentencing Guidelines.

A discussion ensued.

Motion carried.

7. Determine 2016 Work Plan

This was on the agenda as an action item. During the January 27, 2016 meeting, the Chair called on the Executive Director who presented a continuation of the work plan originally discussed on July 22, 2015. During the January 27, 2016 meeting, the work plan was updated to show the projects that the Commission had finished. New potential work plan items were also brought to the Commission's consideration.

The Commission came to a consensus that the next meeting will include an action item of non-legislative technical modifications to the Guidelines and a discussion item of an introduction of proportionality in sentencing.

8. April 27 Meeting Schedule

This was on the agenda as a possible action item due to the Executive Director's required military leave on April 27. Alternative dates of May 11 and May 4 were discussed. The consensus of the Commission was to keep the April 27 meeting on the calendar as previously scheduled. Staff explained that, in the Executive Director's absence, the discussion item of introduction of proportionality in sentencing will need to be postponed.

9. Review of Updated Executive Director Position Description

This was on the agenda as an action item. The updated Executive Director Position Description had been revised to include a position purpose, and the principal responsibilities, tasks, and performance indicators were revised to more closely align with the statutory requirements of the position.

Motion by Commissioner Roy and second by Mr. Edblad to approve the updated Executive Director Position Description.

Motion carried.

10. Executive Director's Report

Executive Director Reitz relayed to the Commission an invitation he received to attend a meeting of an advisory group to inform a collaborative of Twin Cities organizations seeking to address racial disparity in the Ramsey County judicial system, and inquired as to any Commission member's interest in attending on behalf of the Commission.

The Director inquired as to the Commission's interest in taking a group photograph, for purposes of posting on the MSGC website, at some point in the future.

11. Public Input

The Chair called on members of the public present and asked if anyone wished to speak. No member of the public came forward.

12. Adjournment

Motion to adjourn by Judge Schellhas and second by Ms. Middlebrook.

Motion carried.

The meeting was adjourned at 4:03 p.m.